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**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION**

| | | |
|---------------------------------------|---|-------------------------------|
| THE CLINCH COALITION, <i>et al.</i> , |) | Case No. 2:21-cv-0003-JPJ-PMS |
| |) | |
| Plaintiffs, |) | |
| |) | |
| v. |) | DEFENDANTS' NOTICE IN |
| |) | RESPONSE TO PLAINTIFFS' |
| |) | REQUEST FOR ORAL ARGUMENT |
| THE UNITED STATES FOREST SERVICE, |) | |
| <i>et al.</i> |) | |
| |) | |
| Federal Defendants, |) | |
| |) | |
| and |) | |
| |) | |
| AMERICAN FOREST RESOURCE COUNCIL, |) | |
| <i>et al.</i> |) | |
| |) | |
| Intervenor Defendants. |) | |
| |) | |

Plaintiffs filed a "Reply in Response to Plaintiffs' Partial Objection to the Magistrate Judge's Order on Motion to Compel Completion of Administrative Record," ECF No. 70. In

their reply, Plaintiffs request oral argument on their Objection. ECF No. 70 at 6.

Plaintiffs did not request oral argument in their Objection. *See* ECF No. 66. Plaintiffs' reply to their Objection is improper and not contemplated by statute, the Federal Rules of Civil Procedure, or the Local Rules of this Court. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(a); W.D. Va. Civ. R. 73.

Should the Court consider Plaintiffs' request for oral argument in their improper filing, Defendants believe that the parties' positions on the Magistrate Judge's Order are sufficiently briefed in the properly filed Objection and Response. *See* ECF Nos. 64, 66, 69. Defendants do not believe oral argument is necessary, but should the Court desire oral argument on Plaintiffs' Objection, Defendants respectfully seek leave to appear remotely, either by videoconference or telephone.

Respectfully submitted on this 21st day of January, 2022.

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